

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

McNEALUS, Chairman.

Committee Room,
Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 41, A bill to be entitled "An Act to provide for the creation of a hotel commission, the duties of which are to collect an annual license from each hotel and rooming house, having fifteen or more rooms for the use of guests, and all restaurants doing business in the State, and compelling the owners and lessees of such concerns to run same in a sanitary manner, and prescribing punishment for violation of same and carries an appropriation to maintain the commission; effective September 1, 1917,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass,

McNEALUS, Chairman.

Committee Room,
Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 199, A bill to be entitled "An Act to regulate plumbing ventilation and house drainage; and to that end creating the office of State Inspector of Plumbing, with power to appoint deputy inspectors of plumbing; defining their powers and duties, under the authority of the State Board of Health, fixing their compensation, and giving inspectors of plumbing the powers of peace officers; establishing local boards of plumbing examiners; fixing the fees for examination of applicants and providing for the issuance and revocation of licenses, their renewal and for the registration of apprentices; the bonding of master and employing plumbers; requiring municipalities to pass ordinances covering plumbing installation; making an appropriation and providing a special fund out of which the State shall be reimbursed,

and providing penalties for the violation of this Act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

McNEALUS, Chairman.

Committee Room,
Austin, Texas, February 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 277, A bill to be entitled "An Act to further regulate the fish and oyster industry in this State by providing for the lease by the Game, Fish and Oyster Commission to parties applying therefor, lands belonging to the State along the gulf coast below the line of ordinary high tide for the purpose of erecting thereon wharves, docks and buildings upon such terms and for such consideration as may be decided upon, not to exceed a term of ninety-nine years; to amend Article 909 of the Penal Code of the State of Texas, 1911, as amended by Chapter 135 of the Acts of the Thirty-third Legislature prescribing the size of certain fish that may be taken; to amend Article 4019 of Revised Civil Statutes of Texas, 1911; prescribing the terms upon which permit shall be granted for the dredging of oyster reefs, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

TWENTIETH DAY.

Senate Chamber,
Austin, Texas,

Saturday, February 3, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Henderson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.
Bailey.
Bee.

Buchanan of Bell.
Buchanan of Scurry.
Caldwell.

Dayton.	Hudspeth.
Dean.	Johnson of Hall.
Decherd.	King.
Floyd.	Lattimore.
Gibson.	McNealus.
Hall.	Parr.
Henderson.	Smith.
Hopkins.	Westbrook.

Absent.

Clark.	Page.
Harley.	Robbins.
Johnston of Harris.	Strickland.
McCollum.	Woodward.

Absent—Excused.

Suiter.

Prayer by Rev. H. W. Knickerbocker of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Dean.

See Appendix for a brief statement of petitions and memorials.

See Appendix for all committee reports in full.

Bills and Resolutions.

Simple Resolution No. 58.

Whereas, It is necessary for the prompt and proper discharge of the business of the Senate and the convenience of the members that a general messenger be employed to look after receiving and sending of the mail and other matters; and

Whereas, Captain George T. Walker, a veteran of the Confederate army, is in needy circumstances, supporting a wife and child; therefore be it

Resolved, That Captain George T. Walker be employed as general messenger for the Senate at a compensation of two dollars (\$2.00) per day.

Caldwell, Woodward, Dayton, Hall, Smith, Buchanan of Bell, Bailey, McNealus, Alderdice, Floyd, Robbins, Clark, Bee, Page, McCollum, Parr, Hudspeth.

The resolution was read.

Senator Caldwell moved the previous question on the adoption of the resolution, and the same being duly seconded, was ordered.

Action recurred on the adoption of the resolution, and the same was adopted by the following vote:

Yeas—12.

Alderdice.	Hall.
Bailey.	Hudspeth.
Bee.	McCollum.
Buchanan of Bell.	McNealus.
Caldwell.	Parr.
Dayton.	Smith.

Nays—10.

Buchanan of Scurry.	Henderson.
Dean.	Johnson of Hall.
Decherd.	King.
Floyd.	Lattimore.
Gibson.	Westbrook.

Absent.

Clark.	Page.
Harley.	Robbins.
Hopkins.	Strickland.
Johnston of Harris.	Woodward.

Absent—Excused.

Suiter.

Pending the announcement of the result of the vote by the Chair,

Senator Lattimore made the point of order that the Senate on the first day of the session had by a resolution determined the number of employees for the ensuing session, which became a rule of the Senate, requiring a two-thirds majority vote to change.

The point of order was overruled by the Chair, who then announced that the resolution was adopted.

Refusal to Adjourn.

Senator Lattimore, at 11:20 o'clock a. m., moved that the Senate adjourn until 10 o'clock Monday morning, which motion was lost by the following vote:

Yeas—8.

Bailey.	Lattimore.
Bee.	McNealus.
Hall.	Page.
Hudspeth.	Robbins.

Nays—18.

Alderdice.	Dayton.
Buchanan of Bell.	Dean.
Buchanan of Scurry.	Decherd.
Caldwell.	Floyd.

Gibson.	McCollum.
Henderson.	Parr.
Hopkins.	Smith.
Johnson of Hall.	Westbrook.
King.	Woodward.

Absent.

Clark.	Johnston of Harris.
Harley.	Strickland.

Absent—Excused.

Suiter.

Simple Resolution No. 58—Motion to Rescind.

Senator King moved to rescind the vote by which Simple Resolution No. 58 was adopted.

Senator Caldwell moved to table the motion to rescind, which motion to table was adopted by the following vote:

Yeas—17.

Alderdice.	Hudspeth.
Bailey.	McCollum.
Bee.	McNealus.
Buchanan of Bell.	Page.
Caldwell.	Parr.
Dayton.	Robbins.
Floyd.	Smith.
Gibson.	Woodward.
Hall.	

Nays—9.

Buchanan of Scurry.	Johnson of Hall.
Dean.	King.
Decherd.	Lattimore.
Henderson.	Westbrook.
Hopkins.	

Absent.

Clark.	Johnston of Harris.
Harley.	Strickland.

Absent—Excused.

Suiter.

Bills and Resolutions.

By Senator Bailey:

S. B. No. 290, A bill to be entitled "An Act to amend Section 2, of An Act creating the Jourdanton Independent School District in Atascosa County, Texas, being Chapter 79 of the Thirty-second Legislature of Texas, increasing the territory of said district. To amend Section 8 of said Act, providing for the appointment of an assessor and col-

lector for said district. To amend Section 23 of said Act, providing for the appointment of a Board of Equalization and prescribing its powers and duties. To amend Section 24 of said Act regulating the time of payment of taxes, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Hudspeth:

S. B. No. 291, A bill to be entitled "An Act to amend Articles 6756, 6762 and 6763; Title 116, of the Revised Civil Statutes of 1911, of the State of Texas, relating to the compensation and allowances of the Ranger force, and declaring an emergency."

Read first time and referred to Committee on Military Affairs.

By Senator Hudspeth:

S. B. No. 292, A bill to be entitled "An Act abolishing the defense of assumed risk as a bar to recovery in any suit against a corporation and further defining and regulating the defense of contributory negligence in suits against corporations, receivers, or other persons operating railroads, street railways, interurban railways, or against other common carriers for damages for death of or for personal injuries to employees thereof; repealing all laws in conflict herewith; declaring certain limitations on the application of the Act; and declaring an emergency."

Read first time and referred to Committee on Labor.

By Senators Smith and Gibson:

S. B. No. 293, A bill to be entitled "An Act to amend Article 4874, Title 71, Chapter 8, of the Revised Civil Statutes of 1911, relating to payments upon insurance policies, on real property in this State in case of a total loss by fire, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senator Decherd:

S. B. No. 294, A bill to be entitled "An Act regulating the manner of service of subpoenas issued in any civil or criminal action or upon any proceeding before an examining court, coroner's inquest, grand jury or before a judge hearing an application under habeas corpus, or in

any case or matter where any witness may be summoned; authorizing the execution of such subpoena either by reading the same over the telephone, or by posting a certified copy of the same in the mails by a registered letter; providing that no mileage shall be charged for the services had over the telephone, or by mail; providing that expenses of telephone call, postage and registration fees may be charged as cost; providing for personal service in event returned receipt is not received; providing that the parties, or their attorneys, or any court or grand jury may designate the method of service; providing for the making of return on such subpoena by the officer; repealing Article 3642 of the Revised Civil Statutes of 1911 and Article 527, Code of Criminal Procedure, 1911, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

Senate Concurrent Resolution No. 11.

By Senators Gibson, Hudspeth, Caldwell, Bee, Woodward, McNealus and Page:

Whereas, James C. Travis, a brother of General William B. Travis, one of the immortals who perished in the Alamo, is now living in the State of Alabama; and,

Whereas, No greater tribute could be paid to the memory of that illustrious hero and martyr to Texas independence;

Therefore, Be it resolved:

First, That said James C. Travis be invited to visit Texas as a guest of the State and of the Thirty-fifth Legislature;

Second, That an escort consisting of one member of the House and one member of the Senate and a representative of the Governor be sent as an escort to accompany said James C. Travis to Texas;

Third, That all necessary expenses to carry out the provisions of this resolution be paid out of the contingent funds of the Senate and House.

The resolution was read, and on motion of Senator Bailey was referred to the Committee on State Affairs.

Adjournment.

At 12:30 o'clock p. m. the Senate, on motion of Senator Bailey, adjourned until 10 o'clock Monday morning.

APPENDIX.

Petitions and Memorials.

Senators Bailey and Smith sent up petitions relating to the Pharmacy Bill.

Senator Dayton sent up and had read a petition from the female employees of the Sherman Manufacturing Company, asking him to support House Bill No. 172.

Senator Dayton offered a petition from employees of the railroads of Sherman asking him to support Senate Bill No. 59.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, February 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had S. B. No. 11 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had S. B. No. 214 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had S. B. No. 148 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, February 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

S. B. No. 70, A bill to be entitled "An Act to regulate the licensing of persons, firms and corporations engaged in pursuing, conducting or carrying on an electrical contracting business in the State of Texas or installing any wires or electrical apparatus to convey electrical current for light, heat, power or illumination, and to prevent the doing of such electrical work by persons, firms or corporations other than those licensed in accordance with the provisions of this Act, and creating the office of State Chief Electrical Inspector, and providing for his appointment, and prescribing his qualifications and defining his powers and duties, and providing for the payment of salaries for said State Chief Electrical Inspector and his deputies and all other expenses necessary to the maintenance of his office, and providing penalties for the violation of the provisions of this Act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

McCOLLUM, Chairman.

Committee Room,
Austin, Texas, February 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 239, a bill to be entitled "An Act to further regulate the conducting of fish hatcheries and the propagation of fish in this State by amending Article 4000 of the Revised Civil Statutes of this State, 1911, as amended by Chapter 146 of the Acts of the Thirty-third Legislature providing for the distribution by State fish hatcheries of fish to private persons; providing that the Game, Fish and Oyster Commissioner of the State of Texas, as well as the United States Commissioner of Fisheries, or their duly authorized agents, may take or catch fish from the public fresh waters of the State for the purpose of propagation in any man-

ner; according to the United States Commissioner of Fisheries and his duly authorized agent the right to conduct fish hatching and fish culture and all operations connected therewith in any manner and at any time that may be by them considered necessary and proper, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

McCOLLUM, Chairman.

Committee Room,
Austin, Texas, February 3, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 14, a bill to be entitled "An Act to exempt from taxation all public securities issued after this Act takes effect."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

McCOLLUM, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 13, "A resolution proposing to amend Section 38, Article 16, of the Constitution of this State, so as to create the office of Commissioner of Insurance and Banking, making such office elective, and fixing the term thereof at four years, at such compensation as the Legislature may prescribe, declaring such Commissioner shall perform such duties relative to administration of the insurance laws of this State, as the Legislature may prescribe, declaring that the Department of Banking shall be separate and apart from the Insurance Department, stating that the subjects of statistics and history shall be under the supervision of such office or officers, agent or agents as may be prescribed by the Legislature, declaring that the Legislature shall have ap-

propriate laws making this section effective, fixing the date of election at the next regular general election, prescribing the ballot in which shall be printed thereon, stating how the vote shall be cast for and against such amendment, providing that the general election laws so far as practicable shall apply to the election; directing the Governor to make a proclamation hereof, and making appropriation of \$5,000 to defray the expenses thereof."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Committee on Constitutional Amendments, to who was referred

S. J. R. No. 13, "A resolution proposing to amend Section 38, Article 16, of the Constitution of this State, etc.,"

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do not pass.

HALL.

JOHNSTON of Harris.

(Majority Report.)

Committee Room,

Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 10, "A resolution proposing and submitting to the vote of the people of Texas an amendment to Section 2, Article 6, of the Constitution, prescribing those entitled to exercise the right of suffrage within the State of Texas, providing for a proclamation by the Governor for the submission of the said constitutional amendment on the fourth Saturday in July, A. D. 1917, and making an appropriation to defray expenses for holding of said election,"

Have had the same under consider-

20—Senate.

ation, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 10, "A resolution proposing and submitting to the vote of the people of the State of Texas, an amendment to Section 2, Article 6, of the Constitution, prescribing those entitled to exercise the right of suffrage within the State of Texas, providing for a proclamation by the Governor for submission of said constitutional amendment on the fourth Saturday in July, A. D. 1917, and making appropriations to defray the expenses for the holding of said election,"

Have had same under consideration and I am instructed to report same back to the Senate with the recommendation that it do not pass.

DEAN.

HOPKINS.

Committee Room,

Austin, Texas, February 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 15, "Proposing to amend the Constitution of the State of Texas by amending Section 2, Article 6, of the Constitution by striking out and repealing said Section 2 and substituting in lieu thereof another Section 2, defining qualified electors in this State, prescribing where such electors may vote, fixing the time for the election for the adoption or rejection of said constitutional amendment, making certain provisions for said election, and the ballots thereof and method of voting, directing the issuance of proclamations therefor, prescribing certain duties for the Governor of the State, and making an appropriation to defray expenses of said election,"

Have had the same under consider-

ation, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 2, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 2, "House Joint Resolution to amend Section 10, Article 1, of the Constitution of the State of Texas, providing for certain rights of accused persons in criminal prosecutions and the manner in which the case may be prosecuted, and providing for the procuring of the testimony of the witnesses for both defense and prosecution,"

Have had same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 2, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 5, "A Joint Resolution of the Legislature of the State of Texas, proposing an amendment to the Constitution of the State by adding to Article 16 thereof a new section to be known as Section 59, providing for the compensation of public officials,"

Have had same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

TWENTY-FIRST DAY.

Senate Chamber,
Austin, Texas,
Monday, February 5, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent.

Clark.

Absent—Excused.

Bee.

Sulter.

Lattimore.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Westbrook.

Excused.

Senator Lattimore was excused for today and this week, on account of important business, on motion of Senator Hudspeth.

Senator Harley, for last Saturday, on account of important business, on motion of Senator Bailey.

Senator Bee was excused indefinitely on account of important business, on motion of Senator McCollum.

House Bill No. 13 Rereferred.

(By unanimous consent.)

On motion of Senator Caldwell, Senate Bill No. 13 was withdrawn from the Committee on Public Buildings and Grounds and referred to the Committee on State Affairs.

Petitions and Memorials.

See Appendix for brief statement of petitions and memorials offered today.